

By: Blanco, Elkins, Capriglione,
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H.B. No. 1604

Substitute the following for H.B. No. 1604:

By: Elkins

C.S.H.B. No. 1604

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for and approval of a state agency's
3 information security plan.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2054.133, Government Code, is amended by
6 adding Subsections (b-1), (b-2), (b-3), and (b-4) to read as
7 follows:

8 (b-1) The executive head and chief information security
9 officer of each state agency shall annually review and approve in
10 writing the agency's information security plan and strategies for
11 addressing the agency's information resources systems that are at
12 highest risk for security breaches. If a state agency does not have
13 a chief information security officer, the highest ranking
14 information security employee for the agency shall review and
15 approve the plan and strategies. The executive head retains full
16 responsibility for the agency's information security and any risks
17 to that security.

18 (b-2) Before submitting to the Legislative Budget Board a
19 legislative appropriation request for a state fiscal biennium, a
20 state agency must file with the board the written approval required
21 under Subsection (b-1) for each year of the current state fiscal
22 biennium.

23 (b-3) Each state agency shall include in the agency's
24 information security plan the actions the agency is taking to

1 incorporate into the plan the core functions of "identify, protect,
2 detect, respond, and recover" as recommended in the "Framework for
3 Improving Critical Infrastructure Cybersecurity" of the United
4 States Department of Commerce National Institute of Standards and
5 Technology. The agency shall, at a minimum, identify any
6 information the agency requires individuals to provide to the
7 agency or the agency retains that is not necessary for the agency's
8 operations. The agency may incorporate the core functions over a
9 period of years.

10 (b-4) A state agency's information security plan must
11 include appropriate privacy and security standards that, at a
12 minimum, require a vendor who offers cloud computing services or
13 other software, applications, online services, or information
14 technology solutions to any state agency to demonstrate that data
15 provided by the state to the vendor will be maintained in compliance
16 with all applicable state and federal laws and rules.

17 SECTION 2. Section [2054.133](#), Government Code, as amended by
18 this Act, applies only to an information security plan submitted on
19 or after the effective date of this Act.

20 SECTION 3. This Act takes effect September 1, 2017.